



Atty. Dkt. No. 036762-0103  
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Kathleen K. MARTIN  
Title: PROPHYLACTIC DEVICE  
Appl. No.: 10/724,864  
Filing Date: 12/02/2003  
Examiner: Unknown  
Art Unit: 3764

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR §1.56**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicant in order to comply with Applicant's duty of disclosure pursuant to 37 CFR §1.56.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicant does not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

**TIMING OF THE DISCLOSURE**

The listed documents are being submitted in compliance with 37 CFR §1.97(b), before the mailing date of the first Office Action on the merits.

**RELEVANCE OF EACH DOCUMENT**

The listed documents came to Applicant's attention during a search of the corresponding PCT application. A copy of the International search report setting forth the portion of each reference considered relevant by the examiner is attached. US 4,834,113, US 5,638,829, US 4,862,901, US 5,146,930 and US 5,535,757 cited in the International search report, but not listed on Form PTO/SB/08, were cited by Applicant in an Information Disclosure Statement dated April 16, 2004.

Applicant respectfully requests that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Date February 15, 2005

By Mary Michelle Kile

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Substitute for form 1449B/PTO		Complete if Known	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>		<b>Application Number</b> 10/724,864 <b>Filing Date</b> 12/2/2003 <b>First Named Inventor</b> Kathleen K. MARTIN <b>Group Art Unit</b> 3764 <b>Examiner Name</b> Unknown	
Date Submitted: February 15, 2005 <i>(use as many sheets as necessary)</i>		<b>Attorney Docket Number</b> 036762-0103	
Sheet	1	of	1

## U.S. PATENT DOCUMENTS

## FOREIGN PATENT DOCUMENTS

## NON-PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>6</sup>

Examiner Signature		Date Considered	
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**\*EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup>See attached Kinds of U.S. Patent Documents. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO

<sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

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